

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v.

Crim. No. 05-20067-003

JUAN M. PEDRAZA

DEFENDANT

ORDER

Comes on for consideration the defendant's motion for a bill of particulars filed November 14, 2005 (Doc. #115). Plaintiff filed a response on November 15, 2005 (Doc. #116). The purpose of a bill of particulars is to adequately inform the defendant of the nature of the charges to prevent or minimize surprise. *United States v. Garrett*, 797 F.2d 656, 665 (8th Cir. 1986). We find in this case that the indictment sufficiently apprises the defendant of the charges to enable him to prepare a defense. The motion is denied.

IT IS SO ORDERED this 17th day of November 2005.

/s/Beverly Stites Jones

HON. BEVERLY STITES JONES

UNITED STATES MAGISTRATE JUDGE